

# Declaration For Patent Application

## 特許出願宣言書

### Japanese Language Declaration

#### 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者（下記の名称が複数の場合）であると信じています。

カンプトテシン類含有水溶液製剤

上記発明の明細書は、

本書に添付されています。

2005年2月9日に提出され、米国出願番号または特

許協定条約国際出願番号を

PCT/JP2005/001902 とし、

（該当する場合）\_\_\_\_\_に訂正されました。

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。継続願書一部分を含む資料案内は前回の願書記入日から、米国願書または国際特許協定条約継続願書記入日の間に入手できます。

As a below-named inventor, I hereby declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

#### AQUEOUS SOLUTION PREPARATION CONTAINING CAMPTOTHECINS

the specification of which

is attached hereto.

was filed on February 9, 2005

as United States Application Number or PCT  
International Application Number

PCT/JP2005/001902 and was amended on

\_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

## Japanese Language Declaration (日本語宣言書)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

単独発明者または第 1 の共同発明者の氏名 中沢 真子	Full name of sole or first inventor Masako NAKAZAWA
発明者の署名 	Inventor's signature 
国籍 日本国	Date May, 19, 2006

第 2 の共同発明者の氏名 相山 律男	Full name of second joint inventor, If any Ritsuo AIYAMA
第 2 の共同発明者の署名 	Second inventor's signature 
国籍 日本国	Date May, 19, 2006

**GENERAL POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby appoint:

Practitioners associated with the Customer Number

**22850**

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

KABUSHIKI KAISHA YAKULT HONSHA  
1-19, Higashi Shinbashi 1-chome, Minato-ku, Tokyo 105-8660 JAPAN

**A statement under 37 CFR 3.73(b) is attached.**

**SIGNATURE OF ASSIGNEE OF RECORD**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date: June 1, 2005
Name	Sumiya Hori	Telephone: +81-3-3574-8968
Title	President	

10/586879

**STATEMENT UNDER 37 CFR 3.73(b)**

AP20 Rec'd PCT/PTO 21 JUL 2006

Applicant/Patent Owner: Masako NAKAZAWA, et al.

New U.S. PCT Application Based on

Application No./Patent No.: PCT/JP05/01902

Filed/Issue Date: Herewith

Entitled: AQUEOUS SOLUTION PREPARATION CONTAINING CAMPTOTHECINS

KABUSHIKI KAISHA YAKULT HONSHA

(Name of Assignee)

, a corporation

(Type of Assignee, e.g., corporation, partnership, government agency, etc.)

States that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of an assignment from the inventor(s) of the patent application/patent identified above. A copy of the assignment is attached. The assignment was previously recorded or is being recorded concurrently herewith.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Surinder Sachar

Signature

Surinder Sachar  
Registration No. 34,423

July 21 2006

Date

Norman F. Oblon

Printed or Typed Name

703-413-3000

Telephone Number

24,618

Registration Number

A058velo

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## Assignment of Application

INSERT NAMES  
AND RESIDENCE  
ADDRESS OF  
THE INVENTORS:

WHEREAS, I (WE) (1) Masako NAKAZAWA (2) Ritsuo AIYAMA  
all of c/o Kabushiki Kaisha Yakult Honsha, 1-19, Higashishinbashi 1-chome,  
Minato-ku, Tokyo 105-8660 Japan

INSERT TITLE OF  
INVENTION:

have invented certain new and useful improvements in: AQUEOUS SOLUTION PREPARATION CONTAINING  
CAMPTOTHECINS

INSERT NAME  
AND ADDRESS OF  
COMPANY OR  
OTHER ASSIGNEE

(Application No. PCT/JP2005/001902, filed February 9, 2005), and

WHEREAS, KABUSHIKI KAISHA YAKULT HONSHA

(hereinafter referred to as "ASSIGNEE") having a place of business at: 1-19, Higashishinbashi 1-chome, Minato-ku, Tokyo  
105-8660 Japan is desirous of acquiring the entire right, title and interest in and to said invention and in and to any  
Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all  
foreign countries;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby  
acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer  
unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial  
possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which  
may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in  
and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions  
and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the  
assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE,  
its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and  
entirely as the same would have been held by me (us) had this Assignment and sale not been made.

# COPY

Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of 1940 Duke Street, Alexandria, Virginia 22314 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: May, 19, 2006

Masako Nakazawa  
(Signature of Inventor)

Masako NAKAZAWA

Date: May 19, 2006

Ritsuo Ayama  
(Signature of Inventor)

Ritsuo AIYAMA

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Inventor)

**OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.**  
ATTORNEYS AT LAW  
1940 DUKE STREET  
ALEXANDRIA, VIRGINIA 22314